

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

A.E. and E.W.,

Plaintiffs,

vs.

Civil Action No. 3:17-cv-01885

**JOSHUA NIELD,
ET AL.,**

Defendants.

ORDER

On November 14, 2018 came the parties, by counsel, all for a hearing on Defendant City of Huntington's Motion for Protective Order and Motion for Protective Order to Preclude the Deposition of Mayor Steve Williams.¹ [ECF Nos. 124 and 125]

As an initial matter, Defendant City of Huntington's Motion for Protective Order is DENIED as MOOT as the District Court will enter an amended scheduling order that resolves the issues raised therein. Accordingly, the Clerk is requested to TERMINATE the Motion for Protective Order and the Joinder filed by Defendant Nield. [ECF Nos. 124 and 127]

Further, after having heard the arguments of counsel and having found that Defendant has not demonstrated the requisite good cause and extraordinary circumstances that warrant preclusion of Plaintiffs' efforts to engage in a discovery deposition, the remaining Motion for Protective Order to Preclude the Deposition of Mayor Steve Williams [ECF No. 125] is

¹ Defendant Joshua Nield filed his Joinder in the City of Huntington's Motion for Protective Order [ECF No. 127] asserting the issues raised with respect to the deadlines for filing dispositive motions, however, Defendant Nield alternatively stated that he was agreeable to a continuance of the trial in this matter and to extend the discovery and dispositive motions deadlines to allow Plaintiffs additional time to complete discovery.

DENIED. In accordance with Rule 72(a) of the Federal Rules of Civil Procedure, the ruling set forth above on this non-dispositive motion may be contested by filing, within 14 days, objections to this Order with District Judge Robert C. Chambers. If objections are filed, the District Court will consider the objections and modify or set aside any portion of the Order found clearly to be erroneous or contrary to law.

The Clerk is requested to send a copy of this Order to all counsel of record.

ENTER: November 15, 2018.



Omar J. Aboulhosn
Omar J. Aboulhosn
United States Magistrate Judge